

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America

vs.

Maria Elizabeth Vallecillo

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NO. 1:19-CR-180-LY

**REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

TO: THE HONORABLE LEE YEAKEL
UNITED STATES DISTRICT JUDGE

The Magistrate Judge submits this Report and Recommendation to the District Court pursuant to 28 U.S.C. § 636(b)(3). The District Court referred this case to the United States Magistrate Judge for the taking of the defendant's felony guilty plea and for her allocution pursuant to Federal Rule of Criminal Procedure 11.

On March 27, 2020, the defendant and counsel appeared before the Magistrate Judge. The undersigned addressed the defendant personally in open court, informed her of the admonishments under Rule 11 of the Federal Rules of Criminal Procedure, and determined that she understood those admonishments. Pursuant to a plea agreement, the defendant pled guilty to one count of Illegal Re-entry into the United States in violation of 8 U.S.C. § 1326.

The Magistrate Judge finds the following:

1. The defendant, with the advice of her attorney, consented to enter this guilty plea before the Magistrate Judge, subject to final approval and sentencing by the District Judge;
2. The defendant fully understands the nature of the charge against her and possible penalties;
3. The defendant understands her constitutional and statutory rights, understands that her constitutional and statutory rights can be waived, and understands the meaning and effect of the waiver of her constitutional and statutory rights;

4. The defendant's plea was made freely and voluntarily;
5. The defendant is competent to enter this plea of guilty;
6. There is a factual basis for this plea; and
7. Both parties agreed to waive preparation of a presentence investigation report.

RECOMMENDATION

The Magistrate Judge **RECOMMENDS** that the District Court accept the defendant's guilty plea and enter a Final Judgment of guilt against her.

WARNING

Having been orally advised of these Findings and Recommendations, the parties have waived their right pursuant to 28 U.S.C. § 636(b)(1)(C) to object to this Report and Recommendation within 14 days, and the matter is ripe so that the District Court may act on this Report and Recommendation immediately.

SIGNED on March 27, 2020.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE